



**6712-01**

**FEDERAL COMMUNICATIONS COMMISSION**

**[OMB 3060-0139 and 3060-xxxx]**

**Information Collections Being Reviewed by the Federal Communications Commission**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-3520), the Federal Communications Commission (FCC or Commission) invites the general public and other Federal agencies to take this opportunity to comment on the following information collections. Comments are requested concerning: whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; the accuracy of the Commission's burden estimate; ways to enhance the quality, utility, and clarity of the information collected; ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

The FCC may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the PRA that does not display a valid OMB control number.

**DATES:** Written PRA comments should be submitted on or before **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all PRA comments to Cathy Williams, FCC, via email [PRA@fcc.gov](mailto:PRA@fcc.gov) and to [Cathy.Williams@fcc.gov](mailto:Cathy.Williams@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information about the information collection, contact Cathy Williams at (202) 418-2918.

**SUPPLEMENTARY INFORMATION:**

**OMB Control Number:** 3060-0139.

**Title:** Application for Antenna Structure Registration.

**Form Number:** FCC Form 854.

**Type of Review:** Revision of a currently approved collection.

**Respondents:** Individuals or households, business or other for-profit entities, not-for-profit institutions, and State, local, or Tribal governments.

**Number of Respondents and Responses:** 2,400 respondents; 57,000 responses.

**Estimated Time per Response:** .33 hours to 2.5 hours.

**Frequency of Response:** On occasion reporting requirement, recordkeeping requirement and third party disclosure reporting requirement.

**Obligation to Respond:** Required to obtain or retain benefits. Statutory authority for this information collection is contained in Sections 1, 2, 4(i), 303, and 309(j) of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i), 303, and 309(j),

Section 102(C) of the National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4332(C), and Section 1506.6 of the regulations of the Council on Environmental Quality, 40 CFR 1506.6.

**Total Annual Burden:** 24,222 hours.

**Total Annual Cost:** \$1,176,375.

**Privacy Act Impact Assessment:** Yes. This information collection contains personally identifiable information on individuals which is subject to the Privacy Act of 1974.

Information on the FCC Form 854 is maintained in the Commission's System of Records, FCC/WTB-1, "Wireless Services Licensing Records." These licensee records are publicly available and routinely used in accordance of subsection b of the Privacy Act, 5 U.S.C. 552a(b), as amended. Taxpayer Identification Numbers (TINs) and materials that are afforded confidential treatment pursuant to a request made under 47 CFR 0.459 of the Commission's rules will not be available for public inspection.

**Nature and Extent of Confidentiality:** Respondents may request materials or information submitted to the Commission be withheld from public inspection under 47 CFR 0.459 of the Commission's rules.

The Commission has in place the following policy and procedures for records retention and disposal: Records will be actively maintained as long as the entity remains a tower owner. Paper records will be archived after being keyed or scanned into the Antenna Structure Registration (ASR) database and destroyed when twelve (12) years old.

**Needs and Uses:** As discussed below, the Commission is revising the FCC Form 854 to implement measures adopted in a recent Report and Order, and is seeking Office of

Management and Budget (OMB) approval for this information collection as revised. The Commission is also reporting an adjustment in the annual burden and annual cost due to an increase in the number of responses and minor increases in hourly wages. After the comment period, the Commission will submit the revised information collection to OMB to obtain the full three year clearance.

The purpose of the FCC Form 854 is to register antenna structures (radio towers) that are used for communication services regulated by the Commission; to make changes to existing antenna structure registrations or pending applications for registration; or to notify the Commission of the completion of construction or dismantlement of such structures, as required by Title 47 of the Code of Federal Regulations (CFR), Chapter 1. In addition, for proposed new antenna structures, the FCC Form 854 is used to facilitate a pre-application public notification process, including a required 30-day period of local and national notice to provide members of the public with a meaningful opportunity to comment on the environmental effects of proposed antenna structures that require registration with the Commission.

The Commission is revising this current information collection due to the adoption of FCC 14-153, Report and Order, which altered the public notification process for certain temporary towers. In the Report and Order, the Commission adopted a narrow exemption from the public notification process for proposed temporary antenna structures meeting defined criteria, including limits on the size and duration of the installation, that greatly reduce the likelihood of any significant environmental effects. Specifically, the exemption from the environmental notification process applies only to temporary antenna structures that: (1) do not require an Environmental Assessment under the Commission's

rules; (2) will be in place for 60 days or less; (3) require notice of construction to the Federal Aviation Administration (FAA); (4) do not require marking or lighting under FAA regulations; (5) will be less than 200 feet above ground level; and (6) will involve minimal or no ground excavation. The Report and Order also provided that applicants may request and obtain a single extension of up to 60 additional days upon an appropriate showing.

As a result, the FCC Form 854 is being revised to permit applicants to indicate that they are claiming the new exemption and certify that they meet the relevant requirements, and to request an extension. These changes are necessary to implement the new exemption from the public notification process for temporary antenna structures. They will therefore enable the Commission to more efficiently process antenna structure registrations and, by allowing licensees to deploy covered temporary structures without first having to complete the notification process, will enable them to more effectively respond to emergencies, natural disasters, and other planned and unplanned short-term spikes in demand without undermining the purposes of the notification process.

**OMB Control Number:** 3060-xxxx.

**Title:** Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies.

**Form Number:** N/A.

**Type of Review:** New collection.

**Respondents:** Individuals or households, business or other for-profit entities, not-for-profit institutions and State, local or Tribal governments.

**Number of Respondents:** 1,350 respondents; 3,597 responses.

**Estimated Time per Response:** .5 hours to 1 hour.

**Frequency of Response:** Third-party disclosure reporting requirement.

**Obligation to Respond:** Required to obtain or retain benefits. Statutory authority for this information collection is contained in Sections 1, 2, 4(i), 7, 201, 301, 303, and 309 of the Communications Act of 1934, as amended, and Sections 6003, 6213, and 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, 126 Stat. 156, 47 U.S.C. 151, 152, 154(i), 157, 201, 301, 303, 309, 1403, 1433, and 1455(a).

**Total Annual Burden:** 3,535 hours.

**Total Annual Cost:** None.

**Privacy Impact Assessment:** This information collection may affect individuals or households. However, the information collection consists of third-party disclosures in which the Commission has no direct involvement. Personally identifiable information (PII) is not being collected by, made available to, or made accessible by the Commission. There are no additional impacts under the Privacy Act.

**Nature and Extent of Confidentiality:** No known confidentiality between third parties.

**Needs and Uses:** The Commission will submit this information collection for approval after the comment period to obtain the full three year clearance from the Office of Management and Budget (OMB). The Commission is requesting OMB approval for new disclosure requirements pertaining to Subpart CC of Part 1 of the Commission's rules. This Subpart was adopted to implement and enforce Section 6409(a) of the Middle Class

Tax Relief and Job Creation Act of 2012. Section 6409(a) provides, in part, that “a State or local government may not deny, and shall approve, any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.” 47 U.S.C. 1455(a)(1). In Subpart CC, the Commission adopted definitions of ambiguous terms, procedural requirements, and remedies to provide guidance to all stakeholders on the proper interpretation of the provision and to enforce its requirements, reducing delays in the review process for wireless infrastructure modifications and facilitating the rapid deployment of wireless infrastructure.

The following are the information collection requirements in connection with Subpart CC of Part 1 of the Commission’s rules:

- 47 CFR 1.40001(c)(3)(i) – To toll the 60-day review timeframe on grounds that an application is incomplete, the reviewing State or local government must provide written notice to the applicant within 30 days of receipt of the application, clearly and specifically delineating all missing documents or information. Such delineated information is limited to documents or information meeting the standard under paragraph (c)(1) of Section 1.140001.
- 47 CFR 1.140001(c)(3)(iii) – Following a supplemental submission from the applicant, the State or local government will have 10 days to notify the applicant in writing if the supplemental submission did not provide the information identified in the State or local government’s original notice delineating missing information. The timeframe for review is tolled in the case of second or subsequent notices of incompleteness pursuant to the procedures identified in paragraph (c)(3). Second or

subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.

- 47 CFR 1.140001(c)(4) – If a request is deemed granted because of a failure to timely approve or deny the request, the deemed grant does not become effective until the applicant notifies the applicable reviewing authority in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.

These collections are necessary to effectuate the rule changes that implement and enforce the requirements of Section 6409(a).

**Federal Communications Commission.**

Marlene H. Dortch,  
Secretary,  
Office of the Secretary,  
Office of the Managing Director.

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